

One Hundred Seventh Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Wednesday,
the twenty-third day of January, two thousand and two*

Joint Resolution

Making further continuing appropriations for the fiscal year 2003, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Public Law 107–229 is further amended by striking the date specified in section 107(c) and inserting in lieu thereof “January 11, 2003”.

SEC. 2. Section 114 of Public Law 107–229 is amended—

(1) by striking “December 31, 2002” and inserting “the date specified in section 107(c) of this joint resolution”; and

(2) by striking the first proviso and inserting the following: “: *Provided*, That grants and payments may be made pursuant to this authority at the beginning of any included quarter or other period of fiscal year 2003, for such quarter or other period, at the level provided for such activities for the corresponding quarter or other period of fiscal year 2002”.

SEC. 3. Upon determination by the Secretary of Homeland Security that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$500,000,000 of funds made available to the Department of Homeland Security and be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen homeland security requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That during fiscal year 2003, the Office of Management and Budget may transfer not to exceed \$140,000,000 from unobligated balances of appropriations enacted prior to October 1, 2002 for organizations and entities that will be transferred to the new Department for the salaries and expenses associated with the initiation of the Department: *Provided further*, That of amounts authorized for transfer by this section, except as otherwise specifically authorized by law, not to exceed two percent of any appropriation available to the Secretary may be transferred between such appropriations: *Provided further*, That not less than 15 days’ notice shall be given to the Committee on Appropriations of the Senate and House of Representatives before any such transfer is made: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen homeland security requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied

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by Congress: *Provided further*, That the authority provided in this section shall expire on September 30, 2004.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*